

Amendments to the Drawings:

The sheets of drawings attached in the Appendix includes changes to Figs. 7-9. These sheets replace the original sheets. The drawings have been changed as follows: Arrowheads have been added.

REMARKS

Applicants have read and considered the Office Action dated September 9, 2005. Claims 1, 3, 5-7, 9 and 11 have been amended. Claims 12-16 had been previously withdrawn from consideration. Claims 1-11 are currently pending.

In the Action, the election with traverse was noted and the Restriction Requirement was still deemed proper and is therefore made Final.

Claims 1-11 were objected to for informalities. Applicants have made the suggested changes and assert that the claim objections have been overcome.

The drawings were objected to because Figures 7 - 9 do not show arrowheads at an input or an output of a device. Formal drawings including arrowheads are submitted herewith as replacement sheets. Applicants assert that the objections to the drawings are hereby traversed.

Claims 1-11 were rejected under 35 U.S.C. § 101 for the claimed invention being directed to non-statutory subject matter. The Office Action asserts that the claimed invention is directed to a mathematical algorithm such as a statistical algorithm. The Action states that the claimed invention can be done mentally and fails to establish tangible and concrete results. Applicants hereby traverse the rejection. The claims have been amended to recite that the system and method are computer implemented and include a memory. Applicants assert that the recited method cannot be carried out as a mental process and that the recited system is more than an algorithm. Moreover, Applicants assert that a tangible result is achieved as the invention produces an emotion, an emotion term or a distance percentage. These results are tangible and provide useful tools to those skilled in the art. Applicants assert that the rejections under 35 U.S.C. § 101 are traversed.

As the objection to the drawings and the claims have been overcome and Applicants believe that the rejections under 35 U.S.C. § 101 have also been overcome and as there are no other issues, it is asserted that the Application is in condition for allowance. A speedy and favorable Action on the merits is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicant's representative at (612) 336-4728.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: _____

1/09/06



Gregory A. Sebold
Reg. No. 33,280
GAS:PLSkaw